

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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RONALD LIPTON and BRETT LIPTON,

AFFIDAVIT

Plaintiffs,

-against-

00 CIV 319 (HGM)(RFT)

JOHN WOOTON, KEVIN LANE, EDWIN BREWSTER, TOWN
OF WOODSTOCK, TOWN OF SAUGERTIES, GREG
HULBERT, Chief of the Town of Saugerties Police Department,
and JOHN DOE, an unidentified Town of Saugerties Police
Officer,

Defendants.

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STATE OF NEW YORK)
)
) SS:
COUNTY OF DUTCHESS)

DAVID L. POSNER, being duly sworn, deposes and says:

1. I am a member of the firm of McCabe & Mack LLP, attorneys for defendants. I submit this affidavit in support of their application for summary judgment.
2. Annexed hereto as Exhibit "A" is a copy of plaintiffs' complaint and annexed as Exhibit "B" is defendants' answer.
3. Also submitted as exhibits in support of the motion are true copies of documents provided to this office by defendants maintained by the Town of Woodstock Police Department in the ordinary course of its business with respect to

the issues raised in this case and by the Town of Woodstock Justice Court and Ulster County
Jail.

S/David L. Posner

DAVID L. POSNER (601389)

Sworn to before me this
3rd day of July, 2003.

s/Louise A. Pezanowski

Notary Public

LOUISE A. PEZANOWSKI
Notary Public, State of New York
No. 4837382
Qualified in Dutchess County
Commission Expires Aug. 31, 2005